



Council Communication

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Status: Public Hearing

In Control: City Council

File Type: Ordinance

AN ORDINANCE AMENDING THE MOUNTAIN VIEW INDUSTRIAL PARK PUD ZONE DOCUMENT, AS PREVIOUSLY AMENDED, FOR THE PROPERTY GENERALLY LOCATED AT 9801 HAVANA STREET AND APPROVING THE MOUNTAIN VIEW INDUSTRIAL PARK PUD ZONE DOCUMENT AMENDMENT #6

Summary & Background

Hanley Holdings submitted this application to update the zoning of the subject property to bring a new use and business into the property. The site is identified as Lot C, Block 3 of the Mountain View Industrial Park Subdivision, at the address of 9801 Havana Street. The subject property is currently zoned PUD I-1, Light-Intensity Industrial, under the Mountain View Industrial Park PUD Zoning Document, which only allows for general commercial and restricted industrial uses. A change in the zoning to PUD I- 2, Medium-Intensity Industrial, which allows for industrial or manufacturing uses, would allow the prospective tenant, Pinnacle Steel, to establish itself on the site. Operations on the site will include pipefitting, welding, and steel metal fitting in the manufacturing space of the site, and contractor operations in the office portion of the building. The company specializes in providing materials for electrical substations. The applicant does not intend to use the existing outdoor yard for storage at this time. However, in the future, they may utilize the storage yard but not more than what is allowed for in the PUD Zone Document. This proposed use would be beneficial to the city by bringing a new business into the City and providing additional 15 jobs initially to the city. All new businesses that occupy this site would be subject to a Business License before occupying the site.

In accordance with Section 21-3251(2) of the Land Development Code (LDC), Planned Unit Developments are reviewed by the Development Review Team (DRT) and the Director of Community Development. Then the Planning Commission holds a public hearing and provides a recommendation to the City Council. City Council holds a public hearing and makes a final decision to approve, approve with conditions, or deny the application based on the approval criteria from Section 21-3251(3).

PUD Zone Document Approval Criteria:

Criteria (a): The PUD zone document is consistent with the policies and goals of the comprehensive plan, any applicable adopted area plan, or community plan of the city, or reflects conditions that have changed since the adoption of the comprehensive plan;

Analysis: The I-2 zoning designation is consistent with Mountain View Industrial Park PUD. Further, it conforms to the previous PUD amendments. The Mountain View Industrial Park PUD, and its five consequent amendments, are city-adopted documents that were approved in March 1999, August 2000, June 2003, July 2003, and April 2017, respectively. Furthermore, the Comprehensive Plan identifies this property as industrial, appropriate for I-2 uses.

*Staff finds this application **meets** this criterion.*

Criteria (b): The PUD zone document is consistent with any previously reviewed PUD concept schematic;

Analysis: No PUD concept schematic plan has been submitted to the City for this application since it is a single lot and it is an already developed industrial park.

*Staff finds that this criterion **is not applicable**.*

Criteria (c): The PUD: (i) Addresses a unique situation, confers a substantial benefit to the city, or incorporates creative site design such that it achieves the purposes set out in section 21-4370 (PUD Zone District) and represents an improvement in quality over what could have been accomplished through strict applications of the otherwise applicable district or development standards. This may include but is not limited to improvements in open space; environmental protection; tree/vegetation preservation; efficient provision of streets, roads, and other utilities and services; unique architecture or design, or increased choice of living and housing environments; or(ii)The PUD is required to avoid completely prohibiting a legal, permitted business use within the city;

Analysis: The Mountain View Industrial Park PUD Zone document incorporated higher level landscape, fencing, and architectural design requirements than traditional industrial districts found within the City. The proposed amendment will continue this requirement and will improve their site as needed.

*Staff finds this application **meets** this criterion.*

Criteria (d): The PUD complies with all applicable city standards not otherwise modified or waived by the city;

Analysis: This proposal was reviewed by referral agencies for conformance with standards in which all comments have been addressed. Public works has made comments on making sure that the legal description matches what is on the warranty deed. Planning provided comments to the applicant to identify the changes on the PUD.

*Staff finds this application **meets** this criterion.*

Criteria (e): The PUD is integrated and connected with adjacent development through street connections, sidewalks, trails, and similar features;

Analysis: The subject property is fully developed and is part of the existing PUD. No changes to connectivity are proposed. Existing streets and sidewalks are complete, in place, and provided connectivity through the subdivision, to the subject property, and to Havana Street.

*Staff finds this application **meets** this criterion.*

Criteria (f): To the maximum extent feasible, the proposal mitigates any potential significant adverse impacts on adjacent properties or on the general community;

Analysis: No significant adverse impacts were identified. Higher level design for landscaping and screening, as identified in the PUD, has been applied to the site.

*Staff finds this application **meets** this criterion.*

Criteria (g): Sufficient public safety, transportation, and utility facilities and services are available to serve the subject property, while maintaining sufficient levels of service to existing development;

Analysis: Infrastructure and utilities exist within and alongside of the subdivision and subject property. No further changes are proposed. The police department and fire district have reviewed this application and are available to service this property, as it has been annexed into the City for decades and has been a developed industrial property for almost 20 years.

*Staff finds this application **meets** this criterion.*

Criteria (h): As applicable, the proposed phasing plan for development of the PUD is rational in terms of available infrastructure, capacity, and financing;

Analysis: The subject property is fully developed and all infrastructure for the subdivision has been constructed. No further phasing of improvements is needed or anticipated, as it is a developed site.

*Staff finds this application **meets** this criterion.*

Criteria (i): The same development could not be accomplished with other techniques, such as height exceptions, variances, or minor modifications.

Analysis: The proposed use requires I-2 zoning, which requires a PUD Zone Document Amendment. The proposed use cannot be accomplished through other land use applications.

*Staff finds this application **meets** this criterion.*

The DRT and Planning Commission found that the proposed amendment met the criteria as stated in Section 21-3251(3) of the LDC. Further, the requested PUD Zone Document Amendment is consistent with the Comprehensive Plan, will not negatively impact surrounding properties, and will provide an updated appearance to the existing subdivision, but utilizing a vacant building, which has the potential to positively improve the character of the neighborhood.

In accordance with required public hearing procedures, staff conducted a public hearing with the Planning Commission on April 5, 2022. Representatives for the applicant and City staff spoke at the hearing. The Planning Commissioners voted 5-0 to recommend approval of the proposed PUD Zone Document Amendment to the City Council, subject to one condition, applicant should obtain the facility's air emissions permit as a condition for issuance of a building permit.

Please see attached Planning Commission minutes for detailed background and discussion

Planning Commission Recommendation:

Planning Commission forwards this application to the City Council with a recommendation of approval (5-0).

Staff Responsible (Department Head): Jim Tolbert, Community Development Director

Staff Presenting: Omar Yusuf, City Planner

Financial Impact: N/A

Funding Source: N/A

Staff Recommendation and Suggested Motion: I move that the City Council to approve the PUD Zone Document Amendment for the property located at 9801 Havana Street contained in case **Z-660-97-99-00-03(2)-17-22** subject to the following condition: The applicant shall obtain a copy of a facilities air emissions permit to the City prior to building permit issuance, if applicable.

To recommend denial:

I move to deny the PUD Zone Document Amendment for the property located 9801 Havana Street obtained in case **Z-660-97-99-00-03(2)-17-22** as it fails to meet the following criteria of the Land Development Code: *List the criteria not met*

To continue the case:

I move to continue the PUD Zone Document Amendment for 9801 Havana Street contained in case Z-660-97-99-00-03(2)-17-22 to a future City Council agenda.

